

Exhibit A:
Plaintiff's Original Petition in State Court Action

Cause _____

TRON MADISE,
Plaintiff,

V.

**HARRIS COUNTY, SHERIFF ED
GONZALEZ, CHARLES BALLARD,
BRYAN BUCCINI, PAUL CROAS,
EDMON BENAVIDES AND DEPUTY
A. DAVIS.**

Defendants.

IN THE DISTRICT COURT

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JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, Tron Madise (“Plaintiff”) files this Original Petition against Defendants, Harris County, Sheriff Ed Gonzalez, Charles Ballard, Bryan Buccini, Paul Croas, Edmon Benavides and A. Davis, (collectively “Defendants”), and in support thereof show as follows:

I. DISCOVERY CONTROL PLAN

1. Pursuant to Rule 190.3 of the Texas Rules of Civil Procedure, Plaintiff intends to conduct discovery under a Level 2 discovery plan.

II. PARTIES

2. **Plaintiff, Tron Madise**, is an individual who is a resident of Harris County, Texas
 3. **Defendant, Harris County, Texas** is a governmental unit existing within Harris County.
 4. **Defendant, Ed Gonzalez**, in his official and individual capacity as Sheriff of Harris County. He may be served wherever he may be found.
 5. **Defendant, A. Davis**, a state actor, in his individual capacity as an officer acting under the color of law for Harris County. He may be served wherever he may be found.
 6. **Defendant, Charles Ballard**, a state actor, in his individual capacity as an officer acting under the color of law for Harris County. He may be served wherever he may be found.
 7. **Defendant, Bryan Buccini**, a state actor, in his individual capacity as an officer acting under the color of law for Harris County. He may be served wherever he may be found.
 8. **Defendant, Paul Croas**, a state actor, in his individual capacity as an officer acting under the color of law for Harris County. He may be served wherever he may be found.

9. **Defendant, Edmon Benavides**, a state actor, in his individual capacity as an officer acting under the color of law for Harris County. He may be served wherever he may be found.

III. JURISDICTION AND VENUE

10. Jurisdiction is proper in this Court because the damages sought by Plaintiff exceed this Court's minimal jurisdictional limits, and the parties to this lawsuit are all subject to jurisdiction in the State of Texas. See Tex. R. Civ. P. 47(b). This Court has jurisdiction over Defendants because they are citizens of the State of Texas, and they engaged in a concerted wrongful activity, which is the subject of this lawsuit and subject to the jurisdiction of the State of Texas.
11. Plaintiff seeks monetary relief over \$1,000,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorneys' fees, plus all other relief to which Plaintiff deems himself entitled. See Tex. R. Civ. P. 47(c), (d).
12. The venue is proper in Harris County, Texas, because all or a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in Harris County. See Tex. Civ. Prac. & Rem. Code § 15.002(a)(1).

IV. FACTS

13. Tron Madise was a 40-year-old African American male and pre-trial detainee at the time he was assaulted by 8-10 inmates at the Harris County jail. On September 10, 2021, at approximately 10:10am Mr. Madise was in Unit 7A2. 3rd Shift, N.P. Owulabi was one of the guards on duty. Charles Ballard, Bryan Buccini, Paul Croas, Edmon Benavides, A. Davis and John Doe Officers (1-3) were on duty also during the 3rd shift and failed to intervene and protect Mr. Madise as Alexis Limon and the other monsters stomped, kicked, punched, choked, and slammed Mr. Madise. The brutal attack led by defendant Alexis Limon lasted at least 5 minutes, although, to the plaintiff, it seemed like forever before another elderly inmate spoke up and told them to stop the attack. The mob-10 stopped attacking Mr. Madise turned its attention to an unidentified elderly man, and began to attack him. This gave Mr. Madise his opportunity to go and beg the guard for help. He was so severely beaten that he was rushed to LBJ hospital and admitted into the intensive care unit, where he remained for days. They focused only on rapid initial assessment and released him once he was stable. He was able to secure his bail and await the trial for the illegal pending charges of unlawful carrying of a weapon from home.

14. Due to the attack, Mr. Madise sustained multiple injuries to multiple body parts. Mr. Madise is only one of the numerous individual pre-trial and convicted inmates who have been detained in the Harris County Jail by Ed Gonzalez, the chief policymaker for Harris County for law enforcement and the jail and housing of inmates, and violently attacked. He continues to place pre-trial detainees and convicted inmates in conditions that result in preventable attacks and injuries.

V. CAUSES OF ACTION

Constitutional Claims

15. Plaintiff incorporates by reference all preceding paragraphs contained herein.
16. Defendants A. Davis, Charles Ballard, Bryan Buccini, Paul Croas, Edmon Benavides, and John Doe 1-10 are jointly and severally liable for Mr. Madise's injuries and for injuring him due to the assault and battery by the other inmates because they each jointly and severally conspired to retaliate against Tron in violation of his First Amendment rights and failed to protect him from harm his right under the Fourteenth and Fourth Amendments..
17. Additionally, Officers Charles Ballard, Bryan Buccini, Paul Croas, Edmon Benavides, A. Davis and John Doe Officers (1-3) watched during the unconstitutional violent attack against Mr. Madise. They did nothing to intervene, although they had the opportunity when the inmates first attacked Mr. Madise. They failed to protect Mr. Madise while he was in custody.

VII. DAMAGES

18. The plaintiff seeks all damages allowed by law due to the aforementioned forming the basis for each of his causes of action. Plaintiff requests damages within the jurisdictional limits of the Court, including
 - a. Physical pain and mental anguish;
 - b. Loss of earning capacity and lost wages;
 - c. Disfigurement;
 - d. Physical impairment;
 - e. Medical care and surgery expenses;
 - f. Out-of-pocket economic losses.
 - g. other expenses related to the arrest and/or prosecution of Kedric Crawford; and
 - h. exemplary/punitive damages.
 - i. Plaintiff's reasonable and necessary attorneys' fees;

- j. Costs of court;
 - k. Pre-judgment and post-judgment interest at the highest rates allowable by law;
 - J. and for such other and further relief, both general and special, at law and in equity, to which Plaintiff may show himself entitled.
19. The damages sustained by Plaintiff were proximately caused by the Defendants as set forth herein.
20. Plaintiff respectfully requests the Court and jury to determine the amount of the loss Plaintiff has incurred in the past and will incur in the future.
21. There are certain elements of damages provided by law that Plaintiff is entitled to have the jury in this case separately consider determining the sum of money for each element that will fairly and reasonably compensate Plaintiff.

VII. REQUEST FOR DISCLOSURE

22. Under Texas Rule of Civil Procedure 194.2, Plaintiff requests that Defendants disclose, within 50 days of the service of this request, the information or material described in all of Texas Rule of Civil Procedure 194.2 (a)-(1).

VIII. JURY DEMAND

23. Pursuant to Texas Rule of Civil Procedure 216, Plaintiff respectfully requests and demands a trial by jury.

IX. PRAYER

24. Plaintiff prays that he has a judgment against Defendants for actual damages shown and proven at trial, for prejudgment, post-judgment interest, for costs of court, and for all other relief, legal and equitable, to which he is entitled.

Respectfully submitted,
By: /s/U.A. Lewis
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I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office
this September 20, 2023

Certified Document Number: 110180151 Total Pages: 4

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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